

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

In the Matter of

**POLYETHYLENE TEREPHTHALATE
FILM, SHEET AND STRIP FROM INDIA
AND TAIWAN**

Investigation Nos.

701-TA-415 and 731-TA-933-934

**NOTICE OF COMMISSION DETERMINATION TO CONDUCT
A PORTION OF THE HEARING *IN CAMERA***

AGENCY: U.S. International Trade Commission.

ACTION: Closure of a portion of a Commission hearing.

SUMMARY: Upon request of respondents Polyplex Corporation, Limited, Ester Industries, Ltd., Flex Industries Ltd., Garware Polyester Ltd., Ester International (USA) Ltd., Flex America Inc., Spectrum Marketing Inc. and Global Pet Film Inc. ("Indian Respondents"), the Commission has determined to conduct a portion of its hearing in the above-captioned investigations scheduled for May 9, 2002, *in camera*. See Commission rules 207.24(d), 201.13(m) and 201.36(b)(4) (19 C.F.R. §§ 207.24(d), 201.13(m) and 201.36(b)(4)). The remainder of the hearing will be open to the public. The Commission has determined that the seven-day advance notice of the change to a meeting was not possible. See Commission rule 201.35(a), (c)(1) (19 C.F.R. § 201.35(a), (c)(1)).

FOR FURTHER INFORMATION CONTACT: Peter L. Sultan, Office of General Counsel, U.S. International Trade Commission, telephone 202-205-3094, e-mail psultan@usitc.gov. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Commission's TDD terminal on 202-205-3105.

SUPPLEMENTARY INFORMATION: The Commission believes that Indian Respondents have justified the need for a closed session. In these investigations, significant amounts of data concerning the domestic industry are business proprietary. Indian Respondents seek a closed session in order to fully address the issues before the Commission without referring to business proprietary information ("BPI"). In making this decision, the Commission nevertheless reaffirms its belief that whenever possible its business should be conducted in public.

The hearing will begin with public presentations by DuPont Teijin Films, Toray Plastics (America), Inc. and Mitsubishi Polyester Film, LLC, petitioners in these investigations, followed by Indian Respondents. During the public session, the Commission may question the parties following their respective presentations. Next, the hearing will include a 20-minute *in camera* session for a confidential presentation by Indian Respondents and for questions from the Commission relating to the BPI, followed by a 20-minute *in camera* rebuttal presentation by petitioners. For any *in camera* session the room will be cleared of all persons except those who have been granted access to BPI under a Commission administrative protective order (APO) and are included on the Commission's APO service list in these investigations. *See* 19 C.F.R. § 201.35(b)(1), (2). The time for the parties' presentations and rebuttals in the *in camera* session will be taken from their respective overall time allotments for the hearing. All persons planning to attend the *in camera* portions of the hearing should be prepared to present proper identification.

AUTHORITY: The General Counsel has certified, pursuant to Commission Rule 201.39 (19 C.F.R. § 201.39) that a portion of the Commission's hearing in *Polyethylene Terephthalate Film, Sheet and Strip from India and Taiwan*, Inv. Nos. 701-TA-415 and 731-TA-933-934, may be closed to the public to prevent the disclosure of BPI.

By order of the Commission.

Marilyn R. Abbott
Secretary

Issued: May 7, 2002